



# AGENDA

## ZONING BOARD OF ADJUSTMENT

### Workshop Meeting

**Tuesday, July 01, 2008 at 5:30 PM**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

- 
1. Call to order
  2. Discussion of Administrative Adjustments given by the Administrator.
    - 12909 FM 2154 (Southwest Business Center) - Building height. **(Denied)** Case #08-00500108 (LB)
    - 3314 Longmire Drive (Liberty Dialysis) - Parking. **(Approved)** Case #08-00500099 (LH)
  3. Discussion of Regular Agenda items.
  4. Consideration and possible action on future agenda items – A Zoning Board Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
  5. Adjourn.

Consultation with Attorney {Gov't Code Section 551.071; possible action.

The Zoning Board of Adjustments may seek advice from its attorney regarding a pending and contemplated litigation subject or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. If litigation or attorney-client privileged information issues arise as to the posted subject matter of this Zoning Board of Adjustments meeting, an executive session will be held.

Notice is hereby given that a Workshop Meeting of the Zoning Board of Adjustment of College Station, Texas will be held on **Tuesday, July 01, 2008 at 5:30 PM** at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this the      day of      , 2008 at      p.m.

**CITY OF COLLEGE STATION, TEXAS**

By \_\_\_\_\_  
Connie Hooks, City Secretary

I, the undersigned, do hereby certify that the above Notice of Workshop Meeting of the Zoning Board of Adjustment of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, [www.cstx.gov](http://www.cstx.gov). The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on      p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008.

**CITY OF COLLEGE STATION, TEXAS**

By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public- Brazos County, Texas

My commission expires: \_\_\_\_\_

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call 979.764.3517 or (TDD) 800.735.2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov).



**AGENDA**  
**ZONING BOARD OF ADJUSTMENT**  
**Regular Meeting**  
**July 1, 2008 at 6:00 P.M.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

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1. Call to order – Explanation of functions of the Board.
2. Consideration, discussion and possible action of Absence Requests from meetings.
3. Consideration, discussion and possible action to approve meeting Minutes.
  - April 1, 2008 Workshop Minutes
  - April 1, 2008 Regular Meeting Minutes
4. Public hearing, presentation, possible action, and discussion on a variance request to the Unified Development Ordinance, Section 5.2 Residential Dimensional Standards regarding the rear setback requirement for 503 Old Jersey, Lot 1R, Block 2A College Park Subdivision. Case #08-00500125 (MR)
5. Presentation, possible action, and discussion on a variance request to the Unified Development Ordinance, Section 7.4.F Sign Standards regarding the development sign at 1300 Harvey Mitchell Parkway, Lot 1, Block 1, 2818 Place Subdivision. Case #08-00500121 (LH)
6. Possible action and discussion on the purpose of Zoning Board of Adjustment workshop meetings.
7. Adjourn.

Consultation with Attorney {Gov't Code Section 551.071; possible action.

The Zoning Board of Adjustments may seek advice from its attorney regarding a pending and contemplated litigation subject or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. If litigation or attorney-client privileged information issues arise as to the posted subject matter of this Zoning Board of Adjustments meeting, an executive session will be held.

Notice is hereby given that a Regular Meeting of the Zoning Board of Adjustment of College Station, Texas will be held on **Tuesday, July 01, 2008 at 6:00 p.m.** at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this the     day of     , 2008 at     p.m.

**CITY OF COLLEGE STATION, TEXAS**

By \_\_\_\_\_  
Connie Hooks, City Secretary

I, the undersigned, do hereby certify that the above Notice of Regular Meeting of the Zoning Board of Adjustment of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, [www.cstx.gov](http://www.cstx.gov). The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on     p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**CITY OF COLLEGE STATION, TEXAS**

By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public- Brazos County, Texas

My commission expires: \_\_\_\_\_

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call 979.764.3517 or (TDD) 800.735.2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov).



**WORKSHOP MINUTES**  
**Zoning Board of Adjustment**  
**April 1, 2008**  
**CITY OF COLLEGE STATION, TEXAS**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**5:30 P.M.**

**MEMBERS PRESENT:** John Richards, Donald Braune, Josh Benn, Denise Whisenant.

**MEMBERS ABSENT:** Jay Goss.

**STAFF PRESENT:** Staff Assistant Deborah Grace-Rosier, Staff Planners Jason Schubert and Matt Robinson, Planning Administrator Molly Hitchcock, Assistant City Attorney Mary Ann Powell, Planning and Development Services Director Bob Cowell, Action Center Representative Kerry Mullins.

**AGENDA ITEM NO. 1:** Call to order – Explanation of functions of the Board.

Acting Chairman Donald Braune called the meeting to order at 5:35.

**AGENDA ITEM NO. 2:** Discussion of regular agenda items.

The Board asked general questions concerning the cases.

**AGENDA ITEM NO. 4:** Consideration and possible action on future agenda items – A Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

Mr. Benn asked to place an item on the next agenda to discuss the purpose of having workshop meetings.

**AGENDA ITEM NO.4:** Adjourn.

The meeting was adjourned at 5:43.

**APPROVED:**

\_\_\_\_\_  
**Jay Goss, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Deborah Grace-Rosier, Staff Assistant**



***MINUTES***  
**Zoning Board of Adjustment**  
**April 1, 2008**  
**CITY OF COLLEGE STATION, TEXAS**  
**Council Chambers**  
**1101 Texas Avenue**  
**6:00 P.M.**

**MEMBERS PRESENT:** Jay Goss, John Richards, Donald Braune, Josh Benn, Denise Whisenant.

**STAFF PRESENT:** Staff Assistant Deborah Grace-Rosier, Staff Planners Jason Schubert and Matt Robinson, Planning Administrator Molly Hitchcock, Assistant City Attorney Mary Ann Powell, Director of Planning and Development Services Bob Cowell, Action Center Representative Kerry Mullins.

**AGENDA ITEM NO. 1:** **Call to order – Explanation of functions of the Board.**

Chairman Goss called the meeting to order at 6:00 PM.

**AGENDA ITEM NO. 2:** **Consideration, discussion and possible action of absence requests.**

There were no absence requests to consider.

**AGENDA ITEM NO. 3.:** **Consideration, discussion and possible action to approve meeting minutes.**

~ February 5, 2008, Workshop Meeting Minutes  
~ February 5, 2008, Regular Meeting Minutes

**Mr. Richards motioned to approve the workshop minutes. Mr. Braune seconded the motion, which passed unopposed (5-0).**

**Ms. Whisenant motioned to approve the regular minutes. Mr. Benn seconded the motion, which passed unopposed (5-0).**

**AGENDA ITEM NO. 4:** **Public hearing, presentation, possible action and discussion on a variance request to the Unified Development Ordinance, Section 5.2. Residential Dimensional**

**Standards regarding the rear setback requirement for 101 and 103 Fairview Avenue, remainder of Lots 1 & 2, Block 2A, College Park Subdivision. Case # 08-00500025**

Staff Planner Matt Robinson presented the staff report and told the Board that the applicant was requesting the variance in order to remodel the existing two-story apartment that is encroaching into the required setbacks, therefore the applicant is requesting a rear setback variance of 17 feet 10 inches to the required setback of 20 feet.

Chairman Jay Goss opened the public hearing.

There was no one who spoke in favor of the variance.

Speaking in opposition of the variance request:

Jerry Cooper, 602 Bell Street, College Station, Texas  
Mike Luther, 614 Welsh, College Station, Texas

All speaking before the Board were sworn in by Chairman Goss.

Chairman Goss closed the public hearing.

**Mr. Richards motioned to deny the variance** to the minimum setback requirement from the terms of the Ordinance as it will be contrary to the public interest, due to the lack of any special conditions, and because a strict enforcement of the provisions of the ordinance would not result in unnecessary hardship to this applicant, and such that the spirit of the ordinance shall be observed and substantial justice done. **Ms. Whisenant seconded the motion, which passed unopposed (5-0).**

**AGENDA ITEM NO. 5: Public hearing, presentation, possible action and discussion on a variance request to the Unified Development Ordinance, Section 5.4 Non-Residential Dimensional Standards regarding the rear setback for the property located at 2800 University Drive E, Lot 2, Block 1, Veterans Park and Athletic Complex Subdivision. Case # 08-00500025**

Staff Planner Jason Schubert told the Board that the applicant is requesting the variance to obtain more greenscape and landscaping in front of the site by moving the proposed office building more to the rear of the property. Therefore, the applicant is requesting a rear setback variance of 10 feet.

Chairman Goss opened the public hearing.

Speaking in favor of the variance request:

Tim Ware, 2417 East Briargate, Bryan, Texas

Mr. Ware was sworn in by Chairman Goss.

Chairman Goss closed the public hearing.

**Mr. Richards motioned to deny the variance** to the minimum setback from the terms of the Ordinance as it will be contrary to the public interest, due to the lack of any special conditions, and because a strict enforcement of the provisions of the ordinance would not result in unnecessary

hardship to this applicant, and such that the spirit of the ordinance shall be observed and substantial justice done. **Mr. Braune seconded the motion which failed 2-1-2. Chairman Goss abstained from voting, Mr. Benn and Ms. Whisenant voting to grant the variance.**

There were continued discussions among the Board Members regarding the variance request.

**Mr. Benn motioned to approve a variance** to the minimum setback from the terms of the Ordinance as it will not be contrary to the public interest, due to the following special conditions: configuration of the property, location of the park and the floodplain; and because a strict enforcement of the provisions of the Ordinance would result in unnecessary hardship to the applicant being: location of the flood plain; and such that the spirit of the Ordinance shall be observed and substantial justice done. **Ms. Whisenant seconded the motion, which failed 2-3. Chairman Goss, Mr. Richards and Mr. Braune voted to deny the variance.**

**AGENDA ITEM NO. 6: Adjourned.**

The meeting was adjourned at 7:00.

**APPROVED:**

\_\_\_\_\_  
**Jay Goss, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Deborah Grace-Rosier, Staff Assistant**





**VARIANCE REQUEST  
FOR  
503 Old Jersey**

**REQUEST:** Rear Setback Variance

**LOCATION:** 503 Old Jersey, Lot 1R Block 2A of the College Park Subdivision

**APPLICANT:** Edsel Jones

**PROPERTY OWNER:** Edsel Jones

**PROJECT MANAGER:** Matt Robinson, Staff Planner  
mrobinson@cstx.gov

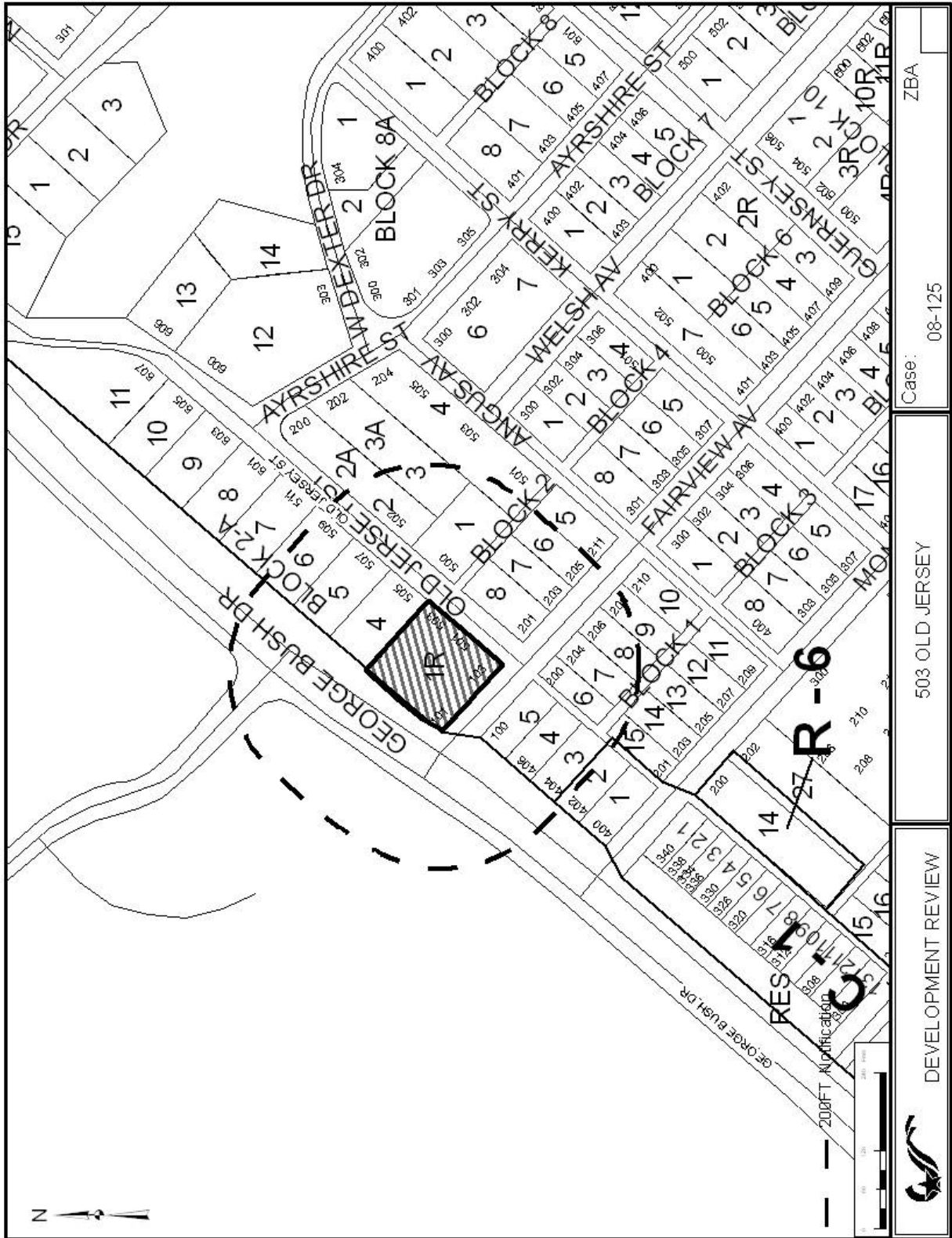
**RECOMMENDATION:** Denial

**BACKGROUND:** The subject property was platted in 1923. As part of the George Bush Drive widening project done in the mid 1990's, TxDOT utilized right-of-way acquired from the subject property in order to add additional driving lanes. This left the structure located at 101 Fairview encroaching into the required setbacks. A request for a variance to the required rear setback was heard by the Zoning Board of Adjustment on April 1<sup>st</sup>, 2008. At that meeting the applicant was requesting a 2'2" rear setback, which was a variance request of 17'10" to the required rear setback of 20' feet. The ZBA voted unanimously to deny the variance request, citing that the request would be contrary to the public interest and that strict enforcement would not result in an unnecessary hardship. The property owner is currently proposing to renovate and add an 8' wide porch on the east and south side of the existing structure. **The applicant would like a 6'6" inch rear setback; thus, he is requesting a rear setback variance of 13'6" to the required rear setback of 20' feet.**

**APPLICABLE ORDINANCE SECTION:** UDO Article 5.2, Residential Dimensional Standards

**ORDINANCE INTENT:** Building setback requirements usually allow for some degree of control over population density, access to light and air, and fire protection. These standards are typically justified on the basis of property values.





ZBA

Case: 08-125

503 OLD JERSEY

DEVELOPMENT REVIEW





## NOTIFICATIONS

Advertised Board Hearing Date: July 1, 2008

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

None

Property owner notices mailed: 19  
Contacts in support: none  
Contacts in opposition: none  
Inquiry contacts: none at the time of writing staff report

## ZONING AND LAND USES

Direction	Zoning	Land Use
<b>Subject Property</b>	R-1, Single Family Residential	Single Family Residence
<b>North</b>	-	George Bush Drive, a Major Arterial
<b>South</b>	R-1, Single Family Residential	Single Family residences / Old Jersey, a Local Street
<b>East</b>	R-1 Single Family Residential	Single Family Residences
<b>West</b>	-	Fairview Avenue, a Major Collector

## PHYSICAL CHARACTERISTICS

1. **Frontage:** The subject property has approximately 140 feet of frontage along Fairview Avenue and 98 feet of frontage along both George Bush Drive and Old Jersey.
2. **Access:** The property has access to Fairview Avenue, a Major Collector.
3. **Topography and vegetation:** Relatively flat with some vegetation.
4. **Floodplain:** The subject property does not lie within a FEMA identified floodway or floodplain.

## REVIEW CRITERIA

1. **Special conditions:** The applicant did not state any special conditions.
2. **Hardships:** The applicant states that the setback violation is due to the reconstruction of George Bush Drive a number of years ago. In addition the applicant states that the present building was built in 1928 and the present owners want to preserve it.

## ALTERNATIVES

The applicant has not identified any alternatives.

**STAFF RECOMMENDATION**

Staff recommends denial for this variance request. It is staff's opinion that the existing conditions on the property do not prohibit or unreasonably restrict the utilization of the property. In addition, there are safety concerns with regards to the location of the existing structure as it backs up to George Bush Drive, a Major Arterial. If special conditions do exist for the property, they become irrelevant when life and safety issues arise.

**SUPPORTING MATERIALS**

1. Application
2. Survey
3. Site Photographs



FOR OFFICE USE ONLY  
CASE NO.: 08-125  
DATE SUBMITTED: 05/30/08

3:00  
AC

## ZONING BOARD OF ADJUSTMENT APPLICATION

### MINIMUM SUBMITTAL REQUIREMENTS:

- ☒ \$150 Filing Fee  
☒ Application completed in full.  
☒ Additional materials may be required of the applicant such as site plans, elevation drawings, sign details and floor plans. The Zoning Official shall inform the applicant of any extra materials required.

Date of Preapplication Conference: \_\_\_\_\_

### APPLICANT/PROJECT MANAGER'S INFORMATION (Primary Contact for the Project):

Name 813 Wellborn Road, Ltd. - Edsel Jones General Partner  
Street Address 310 Univeristy Dr. City College Station  
State Texas Zip Code 77840 E-Mail Address \_\_\_\_\_  
Phone Number (979) 693-1530 Fax Number (979) 696-3040

### PROPERTY OWNER'S INFORMATION:

Name 813 Wellborn Road, Ltd. - Edsel Jones General Partner  
Street Address 310 University Dr. City College Station  
State Texas Zip Code 77840 E-Mail Address \_\_\_\_\_  
Phone Number (979) 693-1530 Fax Number (979) 696-3040

324-7471

### LOCATION OF PROPERTY:

Address 101 & 103 Fairview and 503 Old Jersey St.  
Lot 1-2&3 Block 2A Subdivision College Park  
Description if there is no Lot, Block and Subdivision \_\_\_\_\_

Action Requested: (Circle One) Setback Variance Appeal of Zoning Official's Interpretation  
Parking Variance Special Exception  
Sign Variance Drainage Variance  
Other: \_\_\_\_\_

Current Zoning of Subject Property: R-1

Applicable Ordinance Section: \_\_\_\_\_

# GENERAL VARIANCE REQUEST

Page 2

The following specific variation from the ordinance is requested:

To remodel the existing two story apartment and adding a 8' porch  
with roof on the south and east side. The subject variance of 13'-6"  
requested<sup>is</sup> outlined on the next page and depicted on the enclosed drawing at  
page 4.

This variance is necessary due to the following special conditions:

**Special Condition Definition:** To justify a variance, the difficulty must be due to unique circumstances involving the particular property. The unique circumstances must be related to a physical characteristic of the property itself, not to the owner's personal situation. This is because regardless of ownership, the variance will run with the land.

**Example:** A creek bisecting a lot, a smaller buildable area than is seen on surrounding lots, specimen trees.

**Note:** A cul-de-sac is a standard street layout in College Station. The shape of standard cul-de-sac lots are generally not special conditions.

The existing two story apartment violates the present set-back  
requirements from George Bush Dr. (20 ft.) See enclosed plat and  
additional comments on next page.

The unnecessary hardship (s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

**Hardship Definition:** The inability to make reasonable use of the property in accord with the literal requirements of the law. The hardship must be a direct result of the special condition.

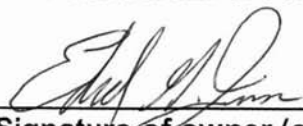
**Example:** A hardship of a creek bisecting a lot could be the reduction of the buildable area on the lot, when compared to neighboring properties.

The set-back violation is due to the reconstruction of George Bush Drive  
a number of years ago. The present building was built in 1928 and the  
present owners want to preserve it. The previous owner was an instructor of  
the present owner at A&M in the 50's. The building has economic value and is  
The following alternatives to the requested variance are possible: Grandfather as related to it's  
location.

This variance will not be contrary to the public interest by virtue of the following facts:

The improvements planned for this building and the new residence along with  
landscaping and fencing will make a very pleasing appearance as a major  
entry-way to the community and a substantial increase to the tax base that  
the schools and community needs.

**The applicant has prepared this application and supporting information and certifies that the facts stated herein and exhibits attached hereto are true and correct. IF APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, APPLICATION MUST BE ACCOMPANIED BY A POWER OF ATTORNEY STATEMENT FROM THE OWNER.**

  
\_\_\_\_\_  
Signature of owner (or agent) or applicant

30 May 08  
\_\_\_\_\_  
Date

The variance of 13'-6" as depicted on drawing is necessary to meet desirable design for a covered 8' sidewalk leading to the security gate of entry to George Bush Drive. If the variance were not granted the remodeling project would require a 4' sidewalk from the 20' setback to George Bush Drive that could not be covered and would not be very attractive. The entryway to the main building on the east side would not be protected from the weather and would not meet design criteria.  
(See drawing provided)

08-125  
5/30/08  
3:00  
AC



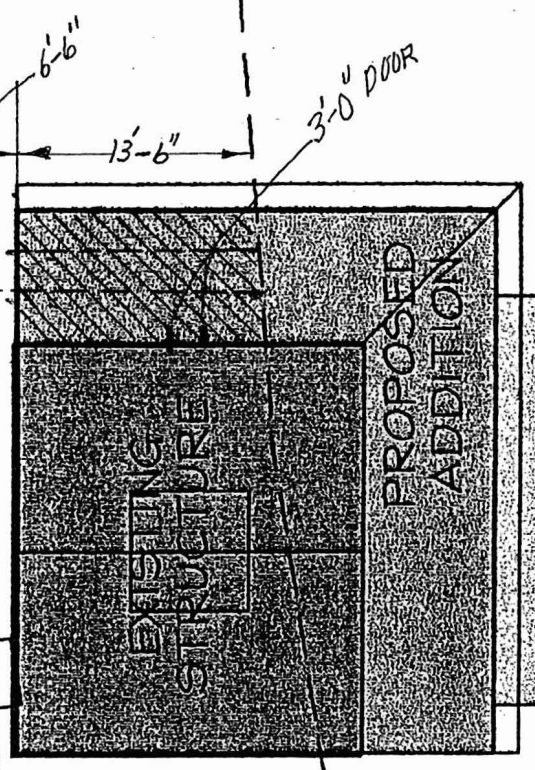
08-125  
5/30/08  
3:00  
PC

LINE: 36.08'  
32°55'36" E

GEORGE BUSH DRIVE

PROPERTY LINE: 46.04' PF  
N 38°08'03" E

20.0' BI



## 503 Old Jersey









**VARIANCE REQUEST  
FOR  
1300 Harvey Mitchell Parkway**

**REQUEST:** Sign Variance

**LOCATION:** 1300 Harvey Mitchell Parkway,  
Lot 1, Block 1 2818 Place Subdivision

**APPLICANT:** Anne White, Place Properties

**PROPERTY OWNER:** Place Properties

**PROJECT MANAGER:** Lauren Hovde, Staff Planner  
[lhovde@cstx.gov](mailto:lhovde@cstx.gov)

**RECOMMENDATION:** Denial

**BACKGROUND:** 2818 Place is a new, multi-family project currently under construction. Without a sign permit, the developer attached a sign to the side of a work trailer facing Harvey Mitchell Parkway. After discussions with Code Enforcement, an application for a sign permit was submitted and it was determined that the sign is too large for a development sign. While a development sign along a freeway is allowed to be 200 square feet in size, the applicant would like to utilize the 480 square foot sign; **therefore, the applicant is requesting a variance to the allowable size of a development sign of 280 square feet.**

**APPLICABLE ORDINANCE SECTION:** UDO Section 7.4.F, Sign Standards

UDO Section 7.4.F. allows 1 development sign per premise with a maximum size of 200 square feet for development along a freeway.

**ORDINANCE INTENT:** To establish clear and unambiguous regulations pertaining to signs in the City of College Station and to promote an attractive community, foster traffic safety, and enhance the effective communication and exchange of ideas and commercial information.









## NOTIFICATIONS

Advertised Board Hearing Date: July 1, 2008

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

None

Property owner notices mailed: 5  
Contacts in support: 0  
Contacts in opposition: 0  
Inquiry contacts: 1

## ZONING AND LAND USES

Direction	Zoning	Land Use
<b>Subject Property</b>	R-4, Multi-Family and A-O, Agricultural Open	Apartments – 2818 Place
<b>North</b>	N/A - Harvey Mitchell Parkway	Freeway – Harvey Mitchell Parkway
<b>South</b>	C-U, College and University and A-O, Agricultural Open	undeveloped, Texas A&M University
<b>East</b>	A-O, Agricultural Open and R-1, Single-Family Residential	oil well and undeveloped property proposed for multi-family
<b>West</b>	A-O, Agricultural Open	undeveloped

## PHYSICAL CHARACTERISTICS

1. **Frontage:** The development property has approximately 2100 linear feet of frontage along Harvey Mitchell Parkway, a Freeway on the City's Thoroughfare Plan.
2. **Access:** The development property has access onto Harvey Mitchell Parkway. The proposed development sign will be oriented toward this right-of-way. Access to this street is regulated by TxDOT and the City's regulations.
3. **Topography and vegetation:** A portion of the subject tract has been cleared for the development of 2818 Place Apartments. A significant portion of the tract (15.9 acres) remains as A-O, Agricultural Open to protect existing floodplain on the property, however, this does not affect the visibility of the sign from the roadway as the majority of it is interior to the site.
4. **Floodplain:** The subject property is located partially with the FEMA 100-year floodplain in the area zoned A-O, Agricultural Open (See Small Area Map).

## REVIEW CRITERIA

1. **Special conditions:** An existing 40-foot wide utility easement runs along the front of the property to accommodate a water line. A temporary development sign may be located in a Public Utility Easement, however, a structure such as a leasing trailer may not be.

2. **Hardships** The applicant feels that the distance from the right-of-way makes a 200-square foot sign difficult to see while driving past and therefore ineffectively advertises their development under construction.

### **ALTERNATIVES**

The applicant has not provided any alternatives. Staff, however, has identified the following:

1. The applicant may use an independent development sign, instead of using a wrap around the leasing trailer.
2. The development sign may be placed inside the public utility easement to bring it closer to the right-of-way.
3. The applicant may reduce the size of their signage by eliminating or covering photographs and words.

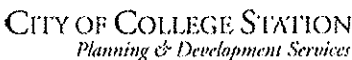
### **STAFF RECOMMENDATION**

Staff recommends denial. The maximum of 200 square feet allowed along a freeway takes into account a development sign's visibility at increased speeds.

### **SUPPORTING MATERIALS**

1. Application
2. Photographs
3. Letter from the Applicant
4. Original Sign Permit Application





CASE NO.: \_\_\_\_\_

DATE SUBMITTED:

## ZONING BOARD OF ADJUSTMENT APPLICATION

**MINIMUM SUBMITTAL REQUIREMENTS:**

Application completed in full.

\_\_\_\_ Additional materials may be required of the applicant such as site plans, elevation drawings, sign details and floor plans. The Zoning Official shall inform the applicant of any extra materials required.

Date of Preapplication Conference: \_\_\_\_\_

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary Contact for the Project):

Name Anne White

Street Address 5215 N. O'Connor Blvd. Ste 200 City Irvine

State TX Zip Code 75039 E-Mail Address Arwhite@PulseProperties.com

Phone Number 972-808-9180 Fax Number 404-495-7805

Cell 404-803-7467

PROPERTY OWNER'S INFORMATION:

Name Place Properties

Street Address 3445 Peachtree Rd. N.E. Ste 1400 City Atlanta

State GA Zip Code 30326 E-Mail Address \_\_\_\_\_

Phone Number 404-495-7500 Fax Number \_\_\_\_\_

LOCATION OF PROPERTY:

Address 1300 Harvey Mitchell Pkwy  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Lot                      Block                      Subdivision

Description if there is no Lot, Block and Subdivision 632 used Student Housing  
Apartment Complex - currently under construction

Action Requested: (Circle One)      Setback Variance      Appeal of Zoning Official's Interpretation

### Parking Variance

### Special Exception

Sign Variance

### Drainage Variance

Other:

Current Zoning of Subject Property: RH

Applicable Ordinance Section: 7.4.F of the Unified Development  
Ordinances

## GENERAL VARIANCE REQUEST

The following specific variation from the ordinance is requested:

Please allow the leasing trailer wrap, it is 12ft. tall by 60 ft. long.

This variance is necessary due to the following special conditions:

**Special Condition Definition:** To justify a variance, the difficulty must be due to unique circumstances involving the particular property. The unique circumstances must be related to a physical characteristic of the property itself, not to the owner's personal situation. This is because regardless of ownership, the variance will run with the land.

**Example:** A creek bisecting a lot, a smaller buildable area than is seen on surrounding lots, specimen trees.

**Note:** A cul-de-sac is a standard street layout in College Station. The shape of standard cul-de-sac lots are generally not special conditions.

Area for Development Sign is 200 sq. ft.  
Our attached sign is very close to the allowed amount and should be approved.

The unnecessary hardship (s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

**Hardship Definition:** The inability to make reasonable use of the property in accord with the literal requirements of the law. The hardship must be a direct result of the special condition.

**Example:** A hardship of a creek bisecting a lot could be the reduction of the buildable area on the lot, when compared to neighboring properties.

Due to TxDOT, underground and overhead utility easements our leasing trailer is situated 75 ft. from FM 2818 and thus decreasing driving traffic visibility. Strict enforcement would deprive reasonable utilization of the development sign in connection with the planned facilities.

The following alternatives to the requested variance are possible:

This variance will not be contrary to the public interest by virtue of the following facts: The Development Sign is an aesthetic contribution to the construction site which improves the economic viability of the development project.

**The applicant has prepared this application and supporting information and certifies that the facts stated herein and exhibits attached hereto are true and correct. IF APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, APPLICATION MUST BE ACCOMPANIED BY A POWER OF ATTORNEY STATEMENT FROM THE OWNER.**

Place Management Group, LLC, as manager for  
BVP 2818 Place, LP

By: Anne White

Its: Regional Manager

By: [Signature]  
Its: [Signature]

6-9-08

Date



## Place Properties

Two Live Oak Center  
3445 Peachtree Rd NE, Suite 1400  
Atlanta, GA 30326  
404.495.7500

June 9, 2008

Lauren A. Hovde  
City of College Station  
1101 Texas Avenue  
College Station, Texas 77842

RE: 1300 Harvey Mitchell Parkway (ZBA) Variance Request

Dear Lauren A. Hovde:

We are in receipt of the memorandum dated June 4, 2008.

We plan on moving into the 2818 Place clubhouse on or about July 15, 2008. In the meantime, in order for our sign to be in compliance with The City of College Station, we have requested a temporary sign variance. It is my understanding the verbiage on the wrap is larger than allowable. We are willing to re-design the existing verbiage to be in compliance. The new ad copy has been requested from Fast Signs. If at all possible, we would also like for you to consider allowing us a temporary sign variance allowing us to keep the existing leasing trailer wrap in place. Our ZBA meeting is scheduled for July 1 at 6:00 p.m. The temporary sign variance would only be for approximately 14 days.

Once we move into the clubhouse, we plan on moving the leasing trailer next door to Phase 2. We will submit for the appropriate permits in advance and re-design the leasing trailer wrap. If this is not an option, we will simply discard the advertising wrap.

We will forward the revised application with property owner signature this week.

Feel free to contact me with any further questions at 972-868-9186.

Sincerely,

Anne White  
Regional Manager  
972-868-9186



adjustments  
made by LH  
per Anne White

Denied

FOR OFFICE USE ONLY	
APPLICATION No.:	08-1529
DATE SUBMITTED:	5.21.08

2:40  
gh.

## SIGN PERMIT APPLICATION

(Please use alternate application for Grand Opening Sign Permits and Banner Permits)

### MINIMUM SUBMITTAL REQUIREMENTS

✓ Sign Permit application completed in full.

✓ Sign permit fee. (The fee is based on the valuation of the Sign).

✓ \$25 Plan Review Fee

✓ Supporting Information completed in full.

**For Freestanding Signs:** one (1) copy of the site plan and sign graphic including:

\_\_\_ Frontage - length of the property line along the larger roadway

\_\_\_ Location of proposed sign on site.

\_\_\_ Distance from the curb to the front edge of the proposed sign.

\_\_\_ Sign height and dimensions

**For Attached Signs:** one (1) copy of the sign graphics (of all proposed and existing signs) including:

\_\_\_ Sign dimensions of all attached signs

\_\_\_ Length of main entry façade of building

**Northgate Signs:** one (1) copy of sign graphic including:

\_\_\_ Building elevation showing sign placement

\_\_\_ Length of main entry façade of building

\*\*Signs proposed in the Wolf Pen Creek District (WPC) must use the Wolf Pen Creek Building & Sign Review Application.\*\*

### TYPE OF SIGN

✓ LH

☒ Attached

☐ Development Sign

☐ Freestanding

☐ Northgate

✓ LH  
☒ Overlay

\* Does any signage included as part of this application qualify as an electrical sign (the term "electrical sign" includes, but is not limited to, neon gas tubing, freestanding electrical signs and attached electrical signs)? ☐ Yes ☒ No

NAME OF PROJECT 2818 Place

ADDRESS 1300 Harvey Mitchell Pkwy

LEGAL DESCRIPTION

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary Contact for the Project):

Name Anne White

cell 404-603-7467

Street Address 2020 Pembroke Pl. 5215 N.O. Wm

City Irving

State TX

Zip Code 75039

E-Mail Address Awhite@Plateproperties.com

Phone Number 972-808-9186

Fax Number 404-495-7805

CONTRACTOR: Fast Signs

PHONE: 936-444-329 FAST

CONTRACTOR ADDRESS: Conroe, TX

ELECTRICIAN:

DESCRIPTION OF WORK: "Now leasing for Fall 2008" majority color blue

VALUATION (Labor/Materials): \$ 7500.

**SUPPORTING INFORMATION:**

2H  
4H  
CURRENT ZONING \_\_\_\_\_

PRESENT USE OF PROPERTY under construction for multi-family housing

**FREESTANDING SIGNS:**

LENGTH OF FRONTAGE: 

(length of the property line along the larger roadway.)

DISTANCE FROM THE CURB TO THE FRONT EDGE OF THE PROPOSED SIGN: \_\_\_\_\_

HEIGHT: \_\_\_\_\_

AREA: \_\_\_\_\_

(The area of a freestanding sign is the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines that fully contain all extremities.)

**ATTACHED SIGNS:**

LENGTH OF THE MAIN ENTRY FAÇADE OF THE BUILDING: 12' x 60' leasing trailer

AREA OF PROPOSED SIGN: ~~8' x 60'~~ 8' x 60'

AREA OF ALL EXISTING ATTACHED SIGNS: 8' x 60'

(The area of an attached sign is the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contain all extremities.) The allowed area of attached signage is equal to 2.5 square feet of area for every one linear foot of all public entry façades of the building or lease space, not to exceed 500 square feet in area.

**NORTHGATE SIGNS:**

LENGTH OF THE MAIN ENTRY FAÇADE OF THE BUILDING: \_\_\_\_\_

AREA OF PROPOSED SIGN: \_\_\_\_\_

AREA OF ALL EXISTING ATTACHED SIGNS: \_\_\_\_\_

(The area of an attached sign is the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contain all extremities.) The allowed area of attached signage is equal to 2.5 square feet of area for every one linear foot of all public entry façades of the building or lease space, not to exceed 500 square feet in area.

**The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.**

Anne White  
Signature of Owner, Agent or Applicant

5-21-08  
Date

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Official Use Only

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Zoning Official



1300 HARVEY MITCHELL PKWY (ZBA) – (08-00500121)

